



**LANGLEY
POLICY
DIRECTIVE**

**Directive: LAPD 1050.1
Effective Date: May 28, 1999
Expiration Date: May 28, 2004**

Responsible Office: Office of Chief Counsel

SUBJECT: Redlegation of Authority to Take Actions Related to Space Act Agreements

1. REFERENCE

- a. The National Aeronautics and Space Act of 1958, as Amended, Title 42, United States Code, section 2451, et. seq. (the "Space Act").
- b. NPD 1050.1F, "Authority to Enter into Space Act Agreements."
- c. LMS-CP-1719, "Development and Approval of Space Act Agreements (SAA) to Support Interagency and Non-Commercialization Partnerships."
- d. LMS-CP-1720, "Development and Approval of Space Act Agreements (SAA) to Support Commercialization Partnerships."

2. SUMMARY

This directive sets forth the Langley Research Center (LaRC) policy for the formulation of Space Act Agreements (SAA) with U.S. persons or entities, educational institutions, state and local governments, and other federal entities. See LMS-CP-1719, "Development and Approval of Space Act Agreements (SAA) to Support Interagency and Non-Commercialization Partnerships," and LMS-CP-1720, "Development and Approval of Space Act Agreements (SAA) to Support Commercialization Partnerships," for procedures and responsibilities. Note that NPD 1050.1F retains all authority for agreements with international parties to the Associate Administrator for External Relations.

3. POLICY

All agreements must be written, signed on behalf of NASA by an authorized individual, and comply with the requirements contained in this policy, NPD 1050.1F, and applicable Federal law. LaRC SAA's entered into in violation of these principles and authorities are void.

4. DEFINITIONS

- a. SAA - An agreement authorized by the Space Act, other than a contract, grant, or cooperative agreement (as defined by Title 31 USC §6301, et. seq.), setting forth commitments between LaRC and another legal entity.
- b. Reimbursable SAA – An SAA in which the non-NASA party reimburses NASA, in whole or in part, for NASA's costs to perform the work.

- c. Non-reimbursable SAA – An SAA in which NASA waives all reimbursement of its cost to perform the work.
- d. Funded SAA – An SAA in which NASA transfers appropriated funds to the non-NASA party to fund, in whole or part, the non-NASA party's work.
- e. Head – The person serving in the ultimate position of authority within a named organization either in an acting or permanent capacity.
- f. Area of responsibility – an effort is within an area of responsibility if the resources devoted to the effort are substantially from that Area or Office. In the event no one area of responsibility can be determined the affected Areas and Offices will agree upon an Associate Director (AD) to execute the SAA on behalf of NASA LaRC.

5. DELEGATION

I hereby delegate, as follows, the responsibilities outlined in NPD 1050.1F, paragraph 5.a:

- a. Reimbursable and Non-Reimbursable SAA: Each AD is delegated the authority to execute, amend, and terminate reimbursable and non-reimbursable SAA's within his or her area of responsibility with any and all domestic U.S. entities. Each AD, within his or her area of responsibility, may delegate or rescind, in writing, his or her authority to the Head of each Research and Technology Competency Area, Program Office, or Business Management Office.
- b. Funded SAA's with U.S. Federal Government Entities: Each AD is delegated the authority to execute, amend, and terminate funded SAA's within his or her area of responsibility with any and all U.S. Federal Government entities. Each AD, within his or her area of responsibility, may delegate or rescind, in writing, his or her authority to the Head of each Research and Technology Competency Area, Program Office, or Business Management Office. Contracting Officers within the Office of Procurement (OP) shall make all transfers of funds under a funded SAA. Each transfer shall cite the executed SAA.
- c. Within each SAA, an AD or delegatee may delegate to a subordinate within their organization the authority to amend or terminate that SAA.
- d. An AD or delegatee may delegate, in writing, the authority to sign SAA's to the individual who will perform their duties during their absence.
- e. Further Delegation of Funded SAA's with U.S. Federal Government Entities: Authority to execute funded SAA's with U.S. Federal Government entities is further delegated as follows:

- (1) Any warranted Contracting Officer within OP is delegated the authority to transfer up to \$25,000 in any continuous 12-month period for supplies or services.
- (2) Any Contracting Officer within OP with a warrant meeting or exceeding the value of the transfer is delegated the authority to make a single transfer of no more than \$250,000. A single transfer means there is no expectation LaRC will make future transfers of funds to the other party to work on a particular program or area of endeavor. The Contracting Officer may make multiple transfers to any agency for unrelated endeavors. If there is an expectation or it becomes clear that a continuing relationship with funding in excess of \$25,000 per year will occur or is occurring, no further transfers of funds under this authority is allowed and representatives of the area of responsibility should pursue an SAA under paragraph 5.b.
- (3) In situations not falling within 5.e (1) and (2), above, OP may make a one-time transfer of no more than \$250,000 if the responsible AD makes a written determination that an urgent transfer of funds is required until an SAA is in place. The determination must specify the amount of the transfer and must receive the written concurrence of the Procurement Officer and the Chief Counsel. The Procurement Officer will make a single transfer of the amount stated in the determination, not to exceed \$250,000. Any subsequent transfer for that program or area of endeavor is unauthorized except pursuant to an SAA under the authority of paragraph 5.b.

6. MODIFICATIONS AND TERMINATIONS

- a. If a non-NASA party terminates its participation in an SAA all NASA organizations that reviewed or participated in the processing of the original agreement under LMS-CP-1719 and LMS-CP-1720 will be notified. If NASA initiates an SAA termination, NASA LaRC will process the termination notice using the same procedure used for entering the SAA (see LMS-CP-1719 and LMS-CP-1720).
- b. Processing of modifications, addenda, annexes, or other previously agreed to efforts outlined in the SAA will follow the procedure agreed to in the SAA. If the SAA specifies no procedure, representatives of the area of responsibility will process the change using the same procedure used for entering the SAA (see LMS-CP-1719 and LMS-CP-1720).
- c. SAA's expiring by their terms need only be coordinated between the responsible office (the Commercialization Program Office or OP) and the LaRC sponsoring organization.

May 28, 1999

LAPD 1050.1

7. RECISION

LAPD 1050.1, dated June 5, 1996, and LAPD 1050.9, dated August 14, 1996 are rescinded.

Jeremiah F. Creedon
Director